SIKKIM

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GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT, SKILL DEV. AND CHIEF MINISTER'S SELF EMPLOYMENT SCHEME
GANGTOK-SIKKIM

No:104/GEN/DOP **Dated:1.5.2008**

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor hereby makes the following rules, namely:-

Short title and Commencement

1. (1) These rules may be called the Sikkim State Sub- ordinate Fisheries Service rules, 2008.

(2) They shall come into force on the date of their publication in the Official Gazette.

Definition

2. In these rules, unless the context otherwise requires:-

(a) "appointed day" means the date on which these rules shall come into force;

(b) "Appointing authority" means the Government of Sikkim in the Directorate of Fisheries;

(c) "Cadre controlling authority" means the Authority in the Directorate of Fisheries;

(d) "Cadre post" means any post, whether permanent or temporary, included in the Schedule;

(e) "Committee" means the Committee constituted under sub-rule (2) of rule 7 ;

(f) "Government" means the State Government of Sikkim;

(g) "member of service" means a person appointed to the Sikkim State Subordinate Fisheries Service;

(h) "Schedule" means a Schedule appended to these rules;

(i) "service" means the Sikkim State Subordinate Fisheries Service;

(j) "year" means the financial year commencing on the 1st day of April and ending on the 31st day of March next following:

Constitution of the Service

3. There shall be constituted a service called the Sikkim State Subordinate Fisheries Service consisting of persons appointed to the service in accordance with rules.

Composition of the Service:

4. (1) The service shall comprise of the posts as specified in column 1 of Schedule I which the Government may, by an order, revise or alter from time to time, as it may deem fit.

(2) The authorized strength and the composition of the cadre posts included in the Service shall be as indicated in column 2 of Schedule I at its initial constitution.

(3) The scale of pay attached to the cadre posts of the service shall be as shown in column 3 of the Schedule II.

Member of the Service:

5. (1) The following category of persons shall be members of the service,namely:
(a) persons appointed under rule 6 at the initial constitution of the service;
(b) persons appointed to the cadre posts under rule 8.
(2) A person appointed under clause (a) of sub-rule (1) of this rule shall, on such appointment to the cadre post, be deemed to be a member of the service from the appointed day.
(3) A person appointed under clause (b) of sub-rule (1) of this rule shall be a member of the service from the date of such appointment.

Initial constitution of the service:

All persons holding, on the appointed day, any of the cadre posts on a regular basis shall be deemed to have been appointed to the corresponding posts in the service.Provided that failure to exercise that option as aforesaid within the specified period shall ipsofacto be constructed for absorption in the service.

Recruitment and maintenance of the service:

7. (1) Vacancies arising in any of the cadre posts after the initial constitution of the service, shall be filled in the manner provided in Schedule III and subject to such other condition or conditions as may be prescribed by the Government.
(2) Appointment by promotion or by direct recruitment shall be made by the Appointing Authority on the recommendation of the Departmental Promotion Committee constituted by the Government, from time to time and after consultation with the Department of Personnel, Administrative Reforms and Training.
(3) An open competitive as well as limited departmental competitive examination, whichever is prescribed as a mode of recruitment and promotion, shall be held by the Committee in accordance with such rules and syllabus as the cadre controlling authority may prescribe.

Number of posts,classification and Scales of pay

8. The number of posts, their classification and the scales of pay attached thereto shall be as specified in the Schedule II.

Method of recruitment, age limit and other qualifications

9. The method of recruitment, age limit, qualifications and other matters shall be as specified in Schedule III.

Procedure for selection in case of direct recruitment

10. An open competitive examination for recruitment, to the service shall be held at such time and at such place as the Government may from time to time notify. The scheme and syllabus for such examination shall be such as may be specified in the Notification.

Procedure for promotion:

11. (1) All promotions to the service shall be made on the recommendation of the Departmental Promotion Committee;
(2) A list of persons considered eligible for promotion to the next higher grade shall be furnished to the Committee by the Directorate of Fisheries .
(3) The Committee, may, for the purpose of determining ability, initiative, mental and physical fitness of the candidates consider the remarks reflected in the ACR and the performance assessed through examination.
(4) The committee shall have power to fix separately the minimum qualifying marks for written examination and shall have power to relax the same, if necessary, with the approval of the Appointing Authority, FisheriesDirectorate in respect of any class or category of persons.
(5) No decision of the Committee if approved by the Commissioner cum Secretary, Animal Husbandry, Livestock, Fisheries and Veterinary Services Department shall be challenged merely on the ground of any irregularity of procedure.
(6) The list prepared under sub-rule (3) shall be submitted to the Commissioner cum Secretary, Animal Husbandry, Livestock, Fisheries and Veterinary Services Department.

Training

12.(1) Candidates provisionally selected on the basis of the results of the qualifying examination for the post of:-

(a) Fisheries Block Officer shall have to undergo training in the Fisheries School directed by the Appointing Authority.

(b) Fisheries Guard shall have to undergo training in the Fisheries Guard's Training School as directed by the Appointing Authority.

(2) The departmental candidate during such training in training college or school, as the case may be, shall be paid pay and allowances as admissible under the rules.

(3) All the members of the service shall, in a span of every two years, undergo one training course successfully either at Accounts and Administrative Training Institute, Gangtok or State Institute of Rural Development, Karfectar or any other training institute outside the State. The requirement of undergoing this training will be applicable only upto the age of 50 (fifty) years of the Government servant and will be compulsory for promotion of the Government servants to the next higher grade and failure to undergo such training course will render denial of promotion when due and the next in the line will be considered.

Appointment and Probation:

13.(1) The candidate who passes with honors or with higher standard certificate in the Fisheries training courses Examination, as the case may be, shall be appointed to the respective post and shall be on probation for a period of one year:

Provided that the Appointing Authority may for reasons to be recorded in writing;-

(a) reduce the period of probation; or

(b) extend the period of probation for such period not exceeding one year.Provided further that any person who may be found unsatisfactory during the period of probation initially fixed or subsequently extended, as the case may be, shall be liable to be summarily discharged.

(2) Candidates who fail the Fisheries training Course Examination or candidates with lower standard certificate or practical certificate shall be on probation for a period of 3 (three) years and on successful completion of probation period they shall be confirmed in respective grade losing their seniority by 3 (three) years.

Seniority:

14.(1) The relative seniority of members of the service appointed to any grade in accordance with rule 6 at the time of initial constitution of the service shall be governed by their relative seniority obtaining in the correspondent grade on the appointed day.

Provided that if the seniority of any such member has been specifically determined on the said date the same shall be determined by the Government.

(2) All persons appointed to the service under these rule in any grade shall rank senior to those who are appointed to that grade after the appointed day.

(3) The relative seniority of all direct recruits shall be determined in the order of merit in which they are selected for such appointment.

Persons appointed as a result of an earlier selection shall be senior to those appointed as a result of a subsequent selection.

(4) The relative seniority of persons promoted to the various grades through the limited departmental competitive examination shall be determined in the order of merit in which they are selected for such promotion.

(5) Any delay in assuming charge of the higher grade on promotion due to administrative reasons, such as transfer from any outlying station, or delay in being relieved for want of substitute, shall not affect the seniority of the person concerned.Provided that where two persons obtain the same number of marks in the written examinations and other tests held by the board and were also appointed in the lower grade on the same date, the person older in age shall rank senior.

(6) The inter-se-seniority of direct recruits and promotees shall be determined on the basis of their date of appointment to the grade.

(7) Cases not covered by the above provisions, if any, seniority shall be determined by the Government.

Attempt at the Examination:

15. No candidate shall be permitted to compete for more than 3 (three) times at the competitive examination.

Execution of agreement:

16. A candidate after selection for training shall have to execute an agreement in the form as may be specified by the Government binding himself and one surety, jointly or separately in the event of failing to comply with any of the provisions of these rules to the satisfaction of the Government, the candidate have to refund any expenditure paid to him consequent on his being sent to training on appointment as probationer.

Grades and their review:

17. (1) The posts included in various grades of the service shall be such as specified in Schedule II.

(2) The State Government may make additions or deletions of the posts in the various grades as deemed necessary from time to time.

Power to relax:

18. Where the Government is of the opinion that it is necessary or expedient to do so, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or posts.

Residuary matters

19. (1) The conditions of service of the members of the service in respect of matters for which no provision is made in these rules shall be the same as are applicable, from time to time, generally to employees of the Government.

(2) Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for persons belonging to special categories in accordance with the orders issued by the Government from time to time.

(3) Notwithstanding such repeal, anything done or any action taken shall be deemed to be taken done or taken under the corresponding provisions of these rules.

Removal of doubts:

20. If doubt may arise as to the interpretation of any of the provisions of these rules, the same shall be referred to the Government in Department of Personnel, Administrative Reforms & Training for decision

BY ORDER AND IN THE NAME OF THE GOVERNOR.

SPECIAL SECRETARY TO THE GOVT. OF SIKKIM
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS, TRAINING, PUBLIC GRIEVANCES, CAREER OPTIONS & EMPLOYMENT, SKILL DEV.
AND
CHIEF MINISTER'S SELF EMPLOYMENT SCHEME

SCHEDULE – I

Name of the cadre post and the authorized strength and required Strength
(See Sub-rule (1) and (2) of rule 4

Name of the post	No. of post	Scale of Pay
1	2	3
Fisheries Range Officer	8	Rs.5500-175-9000
Fisheries Block Officer	14	Rs.4300-125-6800
Head Fisheries Guard	16	Rs.3200-80-4800
Fisheries Guard	30	Rs.3050-75-4550
Fisherman & Chowkidar	16	Rs.2850-55-4170
Research Assistant	2	Rs.5000-150-8000
Junior Research Assistant	2	Rs.4000-100-6000
Lab Attendant	2	Rs.2850-55-4170
Total Authorised Strength	90	

SCHEDULE – II

Scales of pay to the cadre posts
(See sub-rule (3) of rule (4)

Name of post	Scale of pay
1	2
Fisheries Range Officer	Rs. 5500-175-9000
Fisheries Block Officer	Rs. 4300-125-6800
Head Fisheries Guard	Rs. 3200-80-4800
Fisheries Guard	Rs. 3050-75-4550
Fisherman & Chowkidar	Rs. 2850-55-4170
Research Assistant	Rs.5000-150-8000
Junior Research Assistant	Rs. 4000-100-6000
Lab Attendant	Rs. 2850-55-4170

SCHEDULE – III

Sl.No.	Post/Grade	Mode of Recruitment	Eligibility conditions
1.	Fisheries Range Officer	50% by promotion 50% by direct recruitment	From amongst Fisheries Block Officer who have completed not less than 8 (eight) years of continuous service) a) Minimum qualification B.FSc. from recognized University. b) Age between 21 yrs to 30 years, relaxable by 5(five) years in case of Scheduled Castes/Scheduled Tribe candidates and 3(three) years in case of Most Backward Classes and Other Backward Classes candidates.
2.	Fisheries Block Officer	50% by promotion 50% by direct recruitment	From amongst the Head Fisheries Guards who have completed not less than 8 years of continuous service. Class XII passed from recognized Board with Biology as one of the subjects. a) Minimum qualification; i) B.Sc. (Fisheries) ii) Height : 155cm iii) Chest girth: 84cm iv) Chest expansion :90cm NOTE: Physical fitness to be Certified by the Medical Board. v) Should be able to walk 25 kms. In four hours. (b) Age between 18 yrs to 30 years, relaxable by 5(five) years in case of Scheduled Castes/Scheduled Tribe candidates and 3(three) years in case of Most Backward Classes and Other Backward Classes candidates.
3.	Head Fisheries Guard	100% by promotion	i) From amongst Fisheries Guard who have completed not less than 10 yrs. of continuous service. ii) Undergone training prescribed for Fisheries Guards.

4.	Fisheries Guard	50% by promotion 50% by direct Recruitment	From amongst Sr. Fisherman/ Chowkidar who have rendered not less than 8 years continuous service a) Minimum qualification: i) Class X passed from a recognized Board .ii) Height: 155cm iii) Chest girth: 84cm iv) Chest expansion:90cm v) Should be able to walk 25kms in four hours. b) Age between 18 yrs to 30 years, relaxable by 5(five) years in case of Scheduled Castes/Scheduled Tribe candidates and 3(three) years in case of Most Backward Classes and Other Backward Classes candidates.
5.	Fisherman/Chowkidar	100% by direct recruitment from Open Competitive Examination	a) Minimum qualification; Class VIII passed Height:155cm Chest girth:84cmChest expansion:90cm b) Age between 18 yrs to 30 years, relaxable by 5(five) years in case of Scheduled Castes/Scheduled Tribe candidates and 3(three) years in case of Most Backward Classes and Other Backward Classes candidates. c) Should be able to walk 25 kms in four hours.
6.	Research Assistant	100% by promotion	From amongst Junior Research Assistant who have completed not less than 8 (eight) years of continuous service.
7.	Junior Research Assistant	100% by direct recruitment	a) Minimum qualification B.Sc.(Biology) passed from recognized University. b) Age between 18 yrs to 30 years, relaxable by 5(five) years in case of Scheduled Castes/Scheduled Tribe candidates and 3(three) years in case of Most Backward Classes and Other Backward Classes candidates.
8.	Lab Attendent	100% by direct recruitment	a) ClassVIII pass certificate b) Age between 18 yrs to 30 years, relaxable by 5(five) years in case of Scheduled Castes/Scheduled Tribe candidates and 3(three) years in case of Most Backward Classes and Other Backward Classes candidates.